

REMARKS

Claims 11 through 17, 20 through 24, 26 through 28, and 37 are now pending in the application. Claims 11, 17, and 37 are herein amended. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 11 through 13, 15, 17, and 20 through 24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Smith et al. (U.S. Pat. No. 6,319,438). This rejection is respectfully traversed.

Claims 11 through 13, 15, and 17

It is initially noted Claim 11 has been amended herein to recite in part:

“coextruding a film layer having a clear layer and a color layer with a film layer thickness ranging from 0.30 mm up to 0.7 mm”.

Support for this amendment is found in paragraph [0029] of the specification and previously amended Claim 20 which has therefore been fully searched by the Examiner.

It is further noted Claim 11 was previously amended in the amendment filed on May 25, 2006 to recite in part:

“coextruding a film layer having a film thickness ranging from 0.30 mm up to 0.7 mm .”

The Examiner stated “Smith et al teach the claimed process as evident at figs 11-24. It should be noted that Smith et al. teach a color layer thickness of about 0.0030

inch to .060 inch, and a clear coat thickness of about 0.00015-.040 inch (col 9, lns 20-30: col 17, lns 50-65)."

Applicants agree with the Examiner's statement, but as previously noted in the amendment filed August 7, 2006 the color and the clear coat thicknesses together create a film layer having a minimum film layer thickness of 0.00315 inches (0.0030 plus 0.00015 inches) which therefore equate in metric format to a minimum film layer thickness of 0.80 mm. Smith et al. do not disclose coextruding a film layer having a clear layer and a color layer with a film layer thickness ranging from 0.30 mm up to 0.7 mm as recited in amended Claim 11.

Smith et al. therefore cannot anticipate Claim 11. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 102(b) rejection of Claim 11. Because Claims 12 through 13, 15, and 17 depend from Claim 11, Smith et al. cannot anticipate any of Claims 12 through 13, 15, or 17 for at least the same reasons. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 102(b) rejection of Claims 12 through 13, 15, and 17.

Claims 20 through 24

It is noted Claim 20 was amended in the amendment filed August May 25, 2006 to recite in part:

"creating a polymeric film having a clear layer and a color layer, the film having a film thickness ranging from 0.30 mm up to 0.7 mm".

Smith et al. do not disclose a polymeric film having a clear layer and a color layer, the film having a film thickness ranging from 0.30 mm up to 0.7 mm.

For at least the same reasons noted above with respect to Claim 11, Smith et al. therefore cannot anticipate Claim 20. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 102(b) rejection of Claim 20. Because Claims 21 through 24 depend from Claim 20, Smith et al. cannot anticipate any of Claims 21 through 24 for at least the same reasons. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 102(b) rejection of Claims 21 through 24.

REJECTION UNDER 35 U.S.C. § 103

Claims 14, 16, and 26 through 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith et al. (U.S. Pat. No. 6,319,438). This rejection is respectfully traversed.

Claims 14 and 16

As noted above, Smith et al. appear to teach a clear layer and a color layer having a combined film thickness greater than or equal to 0.80 mm.

Smith et al. do not teach or suggest coextruding a film layer having a clear layer and a color layer with a film layer thickness ranging from 0.30 mm up to 0.7 mm.

The suggested modification of Smith et al. therefore cannot render Claim 11 obvious. Because Claims 14 and 16 depend from Claim 11, the suggested modification of Smith et al. cannot render Claims 14 or 16 obvious for at least the same reasons. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 103(a) rejection of Claims 14 and 16.

Claims 26 through 28

Smith et al. do not teach or suggest creating a polymeric film having a clear layer and a color layer, the film having a film thickness ranging from 0.30 mm up to 0.7 mm as recited in Claim 20.

For the same reasons noted above with respect to Claim 11, the suggested modification of Smith et al. therefore cannot render Claim 20 obvious. Because Claims 26 through 28 depend from Claim 20, the suggested modification of Smith et al. cannot render any of Claims 26 through 28 obvious for at least the same reasons. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 103(a) rejection of Claims 26 through 28.

Claim 37

Claim 37 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith et al. (U.S. Pat. No. 6,319,438). This rejection is respectfully traversed.

It is initially noted Claim 37 has been amended herein to recite in part:

"co-extruding a film layer having a clear layer and a color layer with a film layer thickness between approximately 0.30 mm and 0.7 mm".

Support for this amendment is found in paragraph [0029] of the specification and previously amended Claim 20 which has therefore been fully searched by the Examiner.

Smith et al. does not teach or suggest co-extruding a film layer having a clear layer and a color layer with a film layer thickness between approximately 0.30 mm and 0.7 mm. For at least the same reasons as noted above respect to Claim 11, the suggested modification of Smith et al. therefore cannot render amended Claim 37

obvious. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 103(a) rejection of Claim 37.

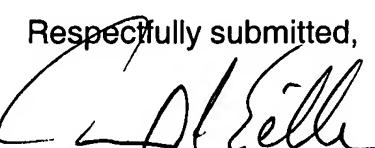
AMENDED CLAIM 17

Claim 17 has been amended to correct the antecedent basis of the clear layer based on the incorporation of a clear layer in independent Claim 11. The Examiner is respectfully requested to enter amended Claim 17.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Dated: Oct. 6, 2006

Respectfully submitted,
By: 

Paul A. Keller, Reg. No. 29,752
Thomas J. Krul, Reg. No. 46,842

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

PAK/TJK/mmk